

1 KEVIN F. RUF (#136901)
2 *kruf@glancylaw.com*
3 KARA M. WOLKE (#241521)
4 *kwolke@glancylaw.com*
5 CHRISTOPHER R. FALLON (#235684)
6 *cfallon@glancylaw.com*
7 NATALIE S. PANG (#305886)
8 *npang@glancylaw.com*
9 **GLANCY PRONGAY & MURRAY LLP**
10 1925 Century Park East, Suite 2100
11 Los Angeles, California 90067
12 Telephone: (310) 201-9150
13 Facsimile: (310) 201-9160
14
15 *Lead Counsel for Class Representative*
16 *Jonathan Davis and the Class*

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

15 JONATHAN DAVIS and ROEI AZAR, on
16 Behalf of All Others Similarly Situated,

17 Plaintiffs,

18 v.

18 YELP, INC., JEREMY STOPPELMAN,
19 LANNY BAKER, and JED NACHMAN,

20 Defendants.

Case No. 3:18-cv-00400-EMC

JOINT STIPULATION AND ~~PROPOSED~~
ORDER TO VACATE DATES AND SET
DATE TO FILE MOTION FOR
PRELIMINARY APPROVAL OF
SETTLEMENT

The Hon. Edward M. Chen

1 Lead Plaintiff Jonathan Davis, on behalf of himself and the Class (“Lead Plaintiff”), and
2 Defendants Yelp Inc. Jeremy Stoppelman, Lanny Baker and Jed Nachman (collectively
3 “Defendants”; together with Lead Plaintiff, “the Parties”) hereby enter into the following
4 stipulation and jointly request that the Court vacate the dates currently scheduled in the action and
5 set a date for Plaintiff to file his motion for preliminary approval of the settlement of the above-
6 captioned action (the “Action”).

7 WHEREAS, on September 9, 2021, the Court entered an Order Denying Defendants’
8 Motion for Summary Judgment (ECF No. 169);

9 WHEREAS, on November 12, 2021, the Parties participated in a mediation but failed to
10 reach an agreement to settle the Action;

11 WHEREAS, on November 24, 2021, the Parties reached an agreement in principle to
12 settle the Action in its entirety;

13 WHEREAS, on December 3, 2021, the Parties executed a Settlement Term Sheet, setting
14 forth all the material deal points associated with resolution of the Action;

15 WHEREAS, the Action is currently set for trial to begin on February 7, 2022 (ECF No.
16 130);

17 THEREFORE, IT IS STIPULATED AND AGREED between the undersigned Parties, by
18 and through their respective counsel and subject to the Court’s approval, as follows:

19 1. In light of the agreement in principle reached by the Parties to settle this Action, all
20 pending dates currently scheduled shall be vacated;

21 2. Plaintiff will submit his motion for preliminary approval of the proposed class
22 action settlement within 60 days of the Court’s approval of this Stipulation, or will provide the
23 Court with an update at that time.

24 Further Status Conference set for March 8, 2022 at 2:30PM as control date. Joint report due 3/1/2022

25 IT IS SO STIPULATED, through Counsel of Record.
26
27
28

1 Dated: December 8, 2021

ARNOLD & PORTER KAYE SCHOLER LLP

2 By: /s/Aaron F. Miner

3 Aaron F. Miner

4 Tyler Fink

5 *Attorneys for Defendants Jeremy Stoppelman,*
6 *Lanny Baker, and Jed Nachman and Nominal*
7 *Defendant Yelp Inc.*

7 Dated: December 8, 2021

GLANCY PRONGAY & MURRAY LLP

8 By: /s/ Kara M. Wolke

9 Kevin F. Ruf (SBN 136901)

10 Kara M. Wolke (SBN 241521)

11 Christopher R. Fallon (SBN 235684)

12 Natalie S. Pang (SBN 305886)

13 1925 Century Park East, Suite 2100

14 Los Angeles, California 90067

15 Telephone: (310) 201-9150

16 Facsimile: (310) 201-9160

17 Email: info@glancylaw.com

14 Dated: December 8, 2021

HOLZER & HOLZER, LLC

15 By: /s/Corey D. Holzer

16 Corey D. Holzer (admitted *pro hac vice*)

17 Marshall P. Dees (admitted *pro hac vice*)

18 211 Perimeter Center Parkway, Suite 101

19 Atlanta, Georgia 30346

20 Telephone: (770) 392-0090

21 Facsimile: (770) 392-0029


22 Email: cholzer@holzerlaw.com

23 Email: mdees@holzerlaw.com

24 *Attorneys for Lead Plaintiff Jonathan Davis*
25 *and the Class*

1 **PURSUANT TO STIPULATION IT IS SO ORDERED.**

2
3 DATED: December 10, 2021


HONORABLE EDWARD M. CHEN
UNITED STATES DISTRICT JUDGE